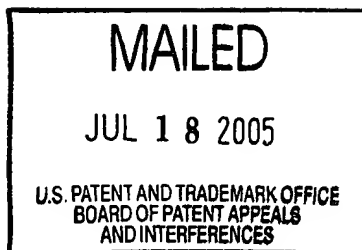


UNITED STATES PATENT AND TRADEMARK OFFICE



BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

Ex parte JOSEPH ORESTE CARNALI

Application 09/758,685

ORDER RETURNING UNDOCKETED APPEAL TO EXAMINER

This application was electronically received at the Board of Patent Appeals and Interferences on July 14, 2005. A review of the application has revealed that the application is not ready for docketing as an appeal. Accordingly, the application is herewith electronically returned to the examiner. The matters requiring attention prior to docketing are identified below.

According to page 3 of the Examiner's Answer mailed May 24, 2004, "[t]he copy of the appealed claims contained in the Appendix to the brief is correct." However, it is noted that the language of claim 7 in the Appendix differs from its last amended version.

Application 09/758,685

Accordingly, it is

ORDERED that the application is returned to the examiner:

1. for issuance of a Supplemental Examiner's Answer which contains a correct copy of claim 7, or for notification to appellant to submit a new Appendix to the Appeal Brief which contains the corrected claim; and
2. for such further action as may be appropriate.

BOARD OF PATENT APPEALS
AND INTERFERENCES

By: 

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DMS/psb

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